

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JAMES THOR KIRK,

Plaintiff,

v.

1:15-cv-00736-JCH-LF

ROLANDO FLORES,
in his individual capacity,
OFFICER JEFFREY BURKE,
in his individual capacity, and
JOHN DOES 1-3, in their individual capacities,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED
FINDINGS AND RECOMMENDED DISPOSITION**

The magistrate judge filed her Proposed Findings and Recommended Disposition on February 25, 2016 (Doc. 8). The proposed findings notified plaintiff James Thor Kirk of his ability to file objections within fourteen (14) days, and that failure to do so waives appellate review. To date, Kirk has not filed any objections, and there is nothing in the record indicating that the proposed findings were not delivered.

IT IS THEREFORE ORDERED AS FOLLOWS:

1. The magistrate judge's Proposed Findings and Recommended Disposition (Doc. 8) is ADOPTED;
2. Defendants' Jon Does 1-3 Motion to Dismiss for Failure to State a Claim (Doc. 3) is GRANTED in part; plaintiff's claims against John Does 1-3 are DISMISSED with prejudice; plaintiff's claims against Defendants Rolando Flores and Jeffrey Burke are DISMISSED with prejudice; and Plaintiff James Thor Kirk's complaint (Doc. 1-4) is DISMISSED with prejudice; and
3. A final order is entered concurrently with this order.


UNITED STATES DISTRICT JUDGE